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EX PARTE OR LATE FILED

October 2, 1995

BY HAND

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: PR Docket No. 92-235
***Ex parte* Presentation**
Erratum

Dear Mr. Secretary:

This letter corrects the filing that we submitted on Friday, September 29, 1995, that reported that Jonathan Weil, Henry Goldberg and the undersigned, on behalf of Hewlett-Packard Company, and Jeffrey Olson and Diane Gaylor, on behalf of SpaceLabs Medical, Inc., met with Ira Keltz of the Commission's staff to discuss a proposal to address the use of the 450-470 MHz band for medical telemetry operations. Two copies of the materials provided to Mr. Keltz are enclosed with this submission.

Respectfully submitted,

Jonathan L. Wiener
Attorney for
Hewlett-Packard Company

Enclosures

cc: Ira Keltz
Jonathan Weil, Esq.
Jeffrey H. Olson, Esq.
Diane Gaylor, Esq.

Hewlett-Packard Company
Ex Parte Presentation
September 29, 1995
PR Docket 92-235

Outline of 450-470 MHz Proposal for Medical Telemetry

The following proposal is based on several basic principles:

- The number of usable channels available for medical telemetry should not be reduced. Reducing the number of channels available for medical telemetry would force hospitals to cut back on the number of telemetry beds that they currently use to monitor at-risk cardiac patients. Without a sufficient number of telemetry channels, hospitals would either have to cable these patients directly to monitors, reducing the opportunity for therapeutic exercise, or forego monitoring them at all. Furthermore, a reduction would be inconsistent with the Commission's position that refarming is designed to increase use of the spectrum, not cut back on current use.

- Because the number of telemetry channels in use varies greatly from hospital to hospital, a two-tier approach would allow for efficient and flexible spectral use. A small number of dedicated very-low-power channels would accommodate most medical telemetry and other very-low-power licensees. With this dedicated area, larger hospitals and medical centers would require fewer additional channels, so more channels could be operated at higher power throughout the 450-470 MHz band, while still giving reasonable assurance of the availability of an adequate number of channels that are usable by medical telemetry on a secondary basis to supplement the channels available in the dedicated very-low-power area.

Elements of the Proposal

- Maintain the low-power status of offset channels where medical telemetry now operates, including prohibition on licensing the adjacent 6.25 kHz channels, until the following steps are completed.

- One-for-one swap of existing low-power offset channels for new channels in a dedicated contiguous 2.5 MHz very-low-power region (<120 mW, with limitations on non-medical telemetry use within hospitals) as quickly as space within the very-low-power region is made available. Note that the entire region need not be

cleared of all >120 mW licensees before the swapping could begin: a new channel could be swapped in provided that no >120 mW licensee was closer than 25 kHz. HP and SpaceLabs would submit the least frequently used channels to the frequency coordinator for swapping.

- After the very-low-power region is established, the remaining offset channels still used for telemetry could be relicensed for high-power use and medical telemetry would be permitted to use all channels in the 450-470 MHz band on a secondary basis.

COMMERCE COMMITTEE MARK-UP DATED

SEPTEMBER 28, 1995 CONCERNING SPECTRUM AUCTIONS

I want to commend the Chairman for including language in the bill that would require the FCC to take into account the costs to satellite systems if international spectrum were auctioned in the United States. These systems, which will be offering the next generation of hand-held, mobile telephones all over the world, must acquire licenses in every country within which they wish to operate. For a truly global system, this could be well over 100 countries. Imagine if they had to bid for spectrum in every one of those countries, which could be the case if the United States sets the precedent by auctioning off international spectrum. The net effect would be to stifle a service that will create thousands of jobs in the United States and that will deliver advanced technology to rural areas such as my home state, Montana.

Furthermore, as supportive as I am of auctions as an efficient way of allocating radio spectrum, it is important that our recommendation contain the exception that it does for public safety type uses. This use of spectrum is vital to protecting life, health, and property, and, because it does not involve a communication service commercially available to the public, there is not an economic basis for auctioning it. It is my understanding of this exception that it is intended to cover such uses as ambulances, heart monitors used in hospitals, volunteer fire departments, and towing companies, and I suggest that we include report language to indicate this.